

REMARKS

Claims 1-6 are pending in this application. All of the pending claims are rejected.

Claims 1 and 6 are currently amended. Reconsideration is requested.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0054767 ("Karaoguz") in view of US 2001/0048744 ("Kimura"). Regarding independent claims 1 and 6, the examiner concedes that Karaoguz fails to teach that at least one station's bid to become associated with an access point is rejected for a cycle. However, the examiner contends that Kimura teaches the feature at paragraph 0052 and figure 4. In the cited paragraph (and preceding paragraph [0051]) and drawing Kimura teaches that a network administrator is notified when a new station requests authentication, and the network administrator may reject the request or the request may timeout. While Kimura does not actually teach the limitations recited in the claims, i.e., that at least one station is accepted and at least one is rejected, applicant has amended claims 1 and 6 to more closely recite the embodiment described in the specification. As described in the second full paragraph on page 42, "the AP 12 selects the bid entries with the highest biased distance delta values, up to acceptsPerAuction entries." In other words, bids are accepted based on one or more parameters, but only up to a predetermined number per cycle. It will be appreciated that this would not always result in at least one station's bid being rejected because fewer than the maximum allowed (acceptsPerAuction) bids might be received in a cycle. The claims as currently amended are therefore not only more closely aligned with the specification, but also broader, clearer, and better distinguish the cited art. For example, Kimura is simply concerned with avoiding association with illegitimate mobile stations. Thus, Kimura has no predetermined number of mobile stations that can be accepted per cycle. The present invention is concerned with damping the rate of migration of mobile stations. The addition of

intelligent roaming capabilities to stations has a tendency to cause "hunting." For example, stations that automatically migrate to access points with low load will tend to move repeatedly between access points because the migration itself changes the loading in a cyclical manner. The present invention at least mitigates the problem by limiting the rate of migration.

The dependent claims further define the invention, and are allowable for the same reasons as their respective base claims.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-4001 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

10/27/2008
Date

/Holmes W. Anderson/
Holmes W. Anderson, Reg. No. 37272
Attorney/Agent for Applicant(s)
Anderson Gorecki & Manaras LLP
33 Nagog Park
Acton, MA 01720
(978) 264-4001

Docket No. 160-052
Dd: 10/29/2008